

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION
1:20-cv-00340-MR**

KEITH HARDING,)	
)	
Plaintiff,)	
)	
vs.)	<u>ORDER</u>
)	
MICHAEL MOODY,)	
)	
Defendant.)	
_____)	

THIS MATTER is before the Court on Plaintiff’s “Rule 34 of Federal Rule of Civil Procedure Producing of Documents.” [Doc. 27].

Pro se Plaintiff Keith Harding (“Plaintiff”) is a prisoner of the State of North Carolina, currently incarcerated at Scotland Correctional Institution in Laurinburg, North Carolina. Plaintiff filed this action on November 24, 2020, pursuant to 42 U.S.C. § 1983, naming FNU Schetter and FNU Moody as Defendants in this matter. [Doc. 1 at 2]. The Clerk promptly mailed Plaintiff an Order of Instructions, advising Plaintiff, among other things, that the parties “shall not file any ... discovery requests ... unless ... directed to do so by the Court” pursuant to Local Rule 26.2. [Doc. 3 at ¶ 7]. Plaintiff’s Complaint survived initial review on March 10, 2021. [Doc. 9]. Recently, the Court dismissed Defendant Schetter for Plaintiff’s failure to timely serve him.

[Doc. 23]. Thereafter, the Court entered a Pretrial Order and Case Management Plan (PTOCMP) setting the discovery deadline for April 5, 2022. [Doc. 24].

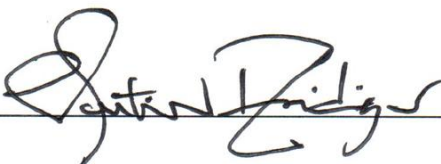
Despite the Clerk's express instruction, Plaintiff has filed a discovery request with the Court. [Doc. 27]. Discovery requests should be served on the opposing party only. The Court will strike this improper filing. Plaintiff is advised to review the Order of Instructions, the Local Rules of this Court, and the Federal Rules of Civil Procedure before filing documents with this Court. Any future improper filings may be summarily dismissed and/or stricken from the record.

ORDER

IT IS, THEREFORE, ORDERED that Plaintiff's discovery request [Doc. 27] is **STRICKEN** from the record in this matter.

IT IS SO ORDERED.

Signed: January 3, 2022



Martin Reidinger
Chief United States District Judge

